



Docket No. 632898-042-C1

DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the invention entitled:

COMPOSITION AND METHOD FOR ENHANCING THE BIOAVAILABILITY OF CALCIUM AND MAGNESIUM IN DIETARY SUPPLEMENTS AND FOOD ADDITIVES

described and claimed

_____ in the attached specification;
X in the specification filed _____,
as U.S. Application Serial No. _____,
and as amended _____.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims as filed and as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

PRIORITY CLAIM

I hereby claim foreign priority benefits under title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

| <u>Prior Foreign Application(s)</u> | | | <u>Priority Claimed</u> | |
|-------------------------------------|----------------|------------------|-------------------------|-----------|
| <u>number</u> | <u>Country</u> | <u>Day/Mo/Yr</u> | <u>Yes</u> | <u>No</u> |
| _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ |

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

60/409,151
Application No.

September 9, 2002
Filing Date

Declaration

Continuation-in-Part Application Claiming Priority

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I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

| | | |
|-------------------------------|--------------------------|----------------|
| <u>10/658,075</u> | <u>September 9, 2003</u> | <u>Pending</u> |
| Application Serial No. | Filing Date | Status |
| <u>Application Serial No.</u> | <u>Filing Date</u> | <u>Status</u> |

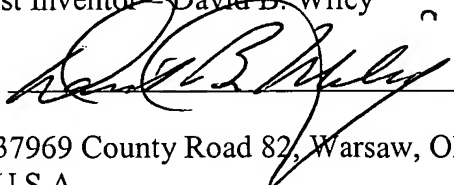
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I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full name of sole or first Inventor: David B. Wiley

Inventor's Signature



Date

6/16/04

Residence: 37969 County Road 82, Warsaw, Ohio 43844

Citizenship: U.S.A.

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Declaration

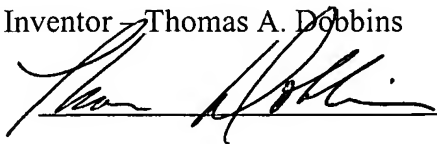
Continuation-in-Part Application Claiming Priority

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Full name of second Inventor - Thomas A. Dobbins

Inventor's Signature



Date



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